

ORIGINAL

Approved:

Marcia S. Cohen
 Marcia S. Cohen
 Assistant United States Attorney

Before: HONORABLE LISA MARGARET SMITH
 United States Magistrate Judge
 Southern District of New York

- - - - - x COMPLAINT 15mj 4276
 :
 UNITED STATES OF AMERICA : Violation of
 : 18 U.S.C. §§ 2422(b)
 -v.- : & 2260A
 :
 TERRICK WASHINGTON, : COUNTY OF OFFENSE:
 : Orange County
 Defendant.
 - - - - - x

SOUTHERN DISTRICT OF NEW YORK, ss.:

SEAMUS CLARKE, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation ("FBI") and charges as follows:

COUNT ONE

Between at least on or about November 6, 2015 up to and including November 28, 2015, in the Southern District of New York and elsewhere, TERRICK WASHINGTON, the defendant, using facilities and means of interstate and foreign commerce, unlawfully, willfully, and knowingly attempted to persuade, induce, and entice an individual who had not attained the age of 18 years to engage in a sexual activity for which a person can be charged, to wit, TERRICK WASHINGTON, the defendant, in communications over the internet and phone, attempted to persuade, induce, and entice an individual acting in an undercover capacity and posing as a 13-year-old girl to meet the defendant for the purpose of engaging in sexual activities.

(Title 18, United States Code, Section 2422(b).)

COUNT TWO

Between on or about November 6, 2015 and November 28, 2015, in the Southern District of New York and elsewhere, TERRICK WASHINGTON, the defendant, being required by Federal and other law to register as a sex offender, committed a felony offense involving a minor under Title 18, United States Code, Section 2422, to wit, the violation of Title 18, United States Code, Section 2422(b) charged in Count One of this Complaint.

(Title 18, United States Code, Sections 2260A.)

The bases for my knowledge and for the foregoing charge are, in part, as follows:

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI"), assigned to the FBI New York Hudson Valley Resident Agency. I have been a Special Agent with the FBI since 2004. I have participated in a number of investigations involving crimes against children, including the receipt, possession, and/or distribution of child pornography by electronic means, sexual exploitation, and enticement of minors. I have gained expertise in these areas through training and daily work related to conducting these types of investigations.

2. I have been personally involved in the investigation of this matter. This affidavit is based upon my conversations with law enforcement agents and others, and my examination of reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

3. Based on my conversations with an investigator from the Orange County District Attorney's Office (the "Investigator"), I am aware of the following:

a. On or about November 12, 2015, an individual (the "Reporter") advised the Investigator that the Reporter, posing as a 13-year-old girl named "Melinda" on a decoy profile, had engaged in communications with a person using the screen name "x.terrick..x" ("x.terrick") in an Internet chat room and via text messages. The Reporter advised that, during those

communications, "x.terrnick" identified himself as a 44-year-old male and indicated that he wanted to meet with the Reporter (posing as a 13-year-old girl) for the purpose of having sex.

b. The Investigator instructed the Reporter to continue to engage in discussions with "x.terrnick" and to provide the Investigator with daily logs of the communications. The Investigator also instructed the Reporter to attempt to arrange a meeting with "x.terrnick."

c. The Reporter provided the Investigator with chat logs and text message logs from November 6, 2015 through November 27, 2015. The Reporter also provided the Investigator with a photograph that "x.terrnick" emailed to the Reporter on or about November 14, 2015.

4. The Investigator provided me with the chat and text message logs and the photograph the Investigator received from the Reporter. Based on my review of this material, I am aware that:

a. On November 6, 2015, "x.terrnick" asked the Reporter "what's up with young lady" and "where are you from?" The Reporter, posing as "Melinda," advised that she had moved to "Hudson Valley a few months ago." "X.terrnick" advised that he was from "Newark" and identified himself as "Reek." During the conversations on November 6, 2015, "Melinda" advised "x.terrnick" that she was 13, and he told her that he was 44 year old. "x.terrnick" asked her if she was really 13 or if she was playing. She assured him that she was, in fact, 13. He responded, "So when you and I going to have a date." During this conversation, he indicated that "we going to get to know one another" and that he would "[t]ake you out and going shopping or something." During this conversation, the Reporter requested "x.terrnick"'s phone number and he provided telephone number "973-954-6807" (the "Telephone Number"). On November 6, 2015, "x.terrnick" asked "How would your parents feel about me taking you out." The Reporter responded that her mom was dead and her dad worked a lot and "doesn't have 2 know." During the conversation, "x.terrnick" advised "Melinda" that his last name was "Washington" and he requested a picture of her.

b. On November 8, 2015, "Reek" contacted the Reporter via the chat room and said, "So you not texting to me." The Reporter responded by sending a text to the Telephone Number.

c. On November 8, 2015 at approximately 8:48 p.m., "x.terrnick" asked the Reporter, "So we still going to go out?" Later, at approximately 9:18 p.m., he asked, "are you sexually acted." The Reporter responded, "no lol but im curious." "x.terrnick" said, "So can I be the first." The Reporter asked "what would u want to do?" He responded, "Eat first! to confort you. to let you know I'm not going to hurt you. since it would be your first time." He asked, "Are you with that. yes or no." He told the Reporter, "Than put it in you." The Reporter asked, "put what? lol." He responded, "You know don't act silly sweetie." The Reporter said, "im 13, what do u expect lol. I just wanna know what I'm getting into." "x.terrnick" responded, "Nothing to hurt you for sure" and asked "So where you going to meet me at."

d. On November 9th and November 11th, 2015, the Reporter and "x.terrnick" exchange additional communications. "x.terrnick" requested a picture of the Reporter. During the conversation on November 11, 2015, he asked "You want to make love baby girl, yes or no." The Reporter asked, "Would u want to do that?" He responded, "'That's up to you love" and told her "It will be wonderful." The Reporter asked what kinds of things they could do and "x.terrnick" replied, "what I want to do is eat that pussy of yours. Real good. Since I would be the first." The Reporter asked, "That won't hurt will it?" He replied, "Lick it love. Not eating it like food lol." He told her, "I want to see a picture of you in your panties. Right now love. Ok."

e. In communications on November 13th and November 14th, "x.terrnick" and the Reporter discussed meeting on a Saturday or Sunday. The Reporter told him "u gotta bring condoms ;). I dnt wanna get preggers lol." "x.terrnick" said, "I this want to make love to you. I'm going to be your first. If so. Nice and slow and gentle. With you." He told her that they would go to a hotel. On November 14, 2015, "x.terrnick" told the Reporter, "I want you to put your finger in it for me." He asked her, "So you have a ideal where you going to meet up at. Sweetie."

f. On November 15, 2015, "x.terrnick" told her, "I want you to take all your clothes off and take me a picture." The Reporter told him she couldn't do it because her dad was home. "Melinda" advised him, "When I see you sat. you can take some ppics of me just dont show anyone." "x.terrnick" asked, "You know how to suck a lollipop." She said, "thts a weird question lol." He said, "You wanted me to come straight out and dick."

He told her, "I'm going to lick your pussy real good first. I'm going to have you open." He said, "You know I'm bring the condoms." He said, "You going to giving me a little head. Then I'm going to put my dick in that pussy."

g. On November 16, 2015, "x.terrnick" and the Reporter discussed meeting on the following Saturday. "x.terrnick" told her, "Don't chicken out now love." During the conversations, the Reporter told him that her phone did not have a camera. "x.terrnick" said that he would get a smart phone for her. He told her, "We see how you Proform when I get out there."

h. On November 18, 2015, "x.terrnick" told the Reporter, "We going to Fuck make love... and all that's good stuff. I hope you don't act crazy love.?" The Reporter asked, "What do you think is crazy babe? Lol." He replied, "When I put my dick in you."

i. On November 19, 2015, the Reporter advised "x.terrnick" that her grandfather had died and she needed to go stay with her grandmother to help with the funeral. In chats between November 19th and November 26th, "x.terrnick" and the Reporter discussed meeting the following Saturday, November 28th. On November 26, 2015, at approximately 9:04 p.m., "x.terrnick" told the Reporter, "I know I have to get that pussy nice and wet. It's your first time. I'm going to break you in the right way. love so whenever you decide to make love to somebody else. You going to be like damn. Reek fuck my pussy right. He lick it real good."

j. On November 27, 2015, "x.terrnick" and the Reporter confirmed that they planned to meet the following day in Monroe, New York. "x.terrnick" told the Reporter that he would take a train to Harriman, New York and take a bus from there to their meeting-place.

5. I am aware that public records for the Telephone Number indicate that the Telephone Number is associated with a "Terrick Washington" from Newark, New Jersey.

6. Based on my conversations with the Investigator, I am aware that:

a. On November 28, 2015, the Investigator and other members of the Orange County Sheriff's Office went to the Harriman Metro North Station, in Harriman, New York. At approximately 10:30 a.m., the Investigator observed TERRICK

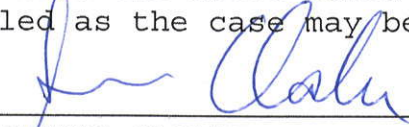
WASHINGTON, the defendant, arrive. The Investigator observed that TERRICK WASHINGTON, the defendant, looked like the individual in the photograph sent by "x.terricks" to the Reporter on or about November 14, 2015. The Investigator placed WASHINGTON, under arrest.

b. Following his arrest, TERRICK WASHINGTON, the defendant, was interviewed at the Orange County Sherriff's Office in Goshen, New York. During this interview, which was videotaped, WASHINGTON admitted, among other things, that he met a young girl on the internet while using a chat application from his cell phone and that he made arrangements to meet her so that he could have sex with her. Initially, WASHINGTON stated that the girl told him she was 15, but later admitted that, in fact, the girl said she was 13 years old. WASHINGTON said that the girl asked him to bring condoms and that he did bring condoms with him to the meeting. In addition, WASHINGTON stated that he had been convicted of a sex offense when he was 18 years old involving a 5-year-old girl and, as a result of this conviction, is required to register as a sex offender.

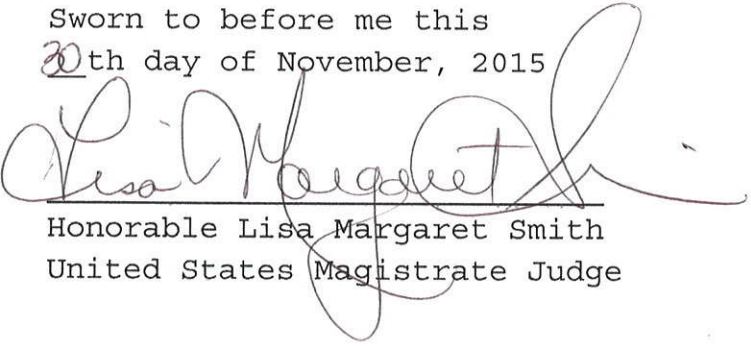
c. On November 28, 2015, TERRICK WASHINGTON, the defendant, was charged in Orange County with Attempted Criminal Sexual Act in the Second Degree, Attempted Rape in the Second Degree, and Disseminating Indecent Material to a Minor.

7. I have reviewed New Jersey criminal records relating to TERRICK WASHINGTON, the defendant. These records reveal that WASHINGTON was convicted in 1993 of Sex Assault and sentenced to 15 years' imprisonment. In addition, according to the Essex County Prosecutor's Office in Newark, New Jersey, TERRICK WASHINGTON, the defendant, upon his release from prison, was required to register as a sex offender.

WHEREFORE, deponent prays that the above-named defendant be arrested and imprisoned or bailed as the case may be.


SEAMUS CLARKE
Special Agent
Federal Bureau of Investigation

Sworn to before me this
30th day of November, 2015


Honorable Lisa Margaret Smith
United States Magistrate Judge